UNITED
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General Assembly

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7 November 1995

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ADDITIONAL SUB-ITEM IN THE AGENDA OF THE FIFTIETH SESSION

Appointment of a member of the Joint Inspection Unit

Note by the Secretary-General

1. Agenda item 17 of the fiftieth session of the General Assembly, Appointments to fill vacancies in subsidiary organs and other appointments, does not include a sub-item relating to the appointment of members of the Joint Inspection Unit.

2. By its decision 49/321 of 23 December 1994, the General Assembly appointed four members of the Joint Inspection Unit for a five-year term of office beginning on 1 January 1996 and expiring on 31 December 2000. However, one such member, Mr. Ali Badara Tall (Burkina Faso), has resigned. The Assembly will therefore have to appoint a new member of the Joint Inspection Unit for the term of office indicated.

3. The Secretary-General accordingly suggests that the General Assembly should include in the agenda of its fiftieth session an additional sub-item of item 17 reading as follows:

"(g) Appointment of a member of the Joint Inspection Unit"

4. The Secretary-General also suggests that the General Assembly should, in accordance with established practice, consider the additional sub-item directly in plenary meeting.

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REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FIFTIETH SESSION

ADMISSION OF THE WORLD TOURISM ORGANIZATION TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Letter dated 13 November 1995 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to request, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the fiftieth session of the General Assembly of an additional item entitled "Admission of the World Tourism Organization to membership in the United Nations Joint Staff Pension Fund", an item which should be allocated to the Fifth Committee.

Pursuant to rule 20 of the rules of procedure of the General Assembly, I am attaching an explanatory memorandum to this letter.

(Signed) Juan Antonio YÁÑEZ-BARNUEVO

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Annex

EXPLANATORY MEMORANDUM

The World Trade Organization (WTO) is an intergovernmental organization of universal character established in 1975 with headquarters in Madrid.

Pursuant to resolution 2529 (XXIV) adopted by the General Assembly in 1969, the United Nations maintains close cooperation with WTO, as reflected in an agreement on cooperation and relations between the United Nations and the World Trade Organization which came into force on 22 November 1977. Subsequently, WTO has signed agreements with the main United Nations specialized agencies and, since 1976, has been an executing agency for the United Nations Development Programme.

WTO has a staff of some 90 international officials, the majority of whom are stationed in Madrid. In June 1995, WTO opened a regional support office in Osaka, Japan.

In December 1986 the WTO Executive Council, by decision 9 (XXIX), expressed its concern that the officials of WTO should be provided with a retirement scheme that would guarantee pension benefits generally recognized as standard for international civil servants. As a follow-up to that decision, the Secretary-General of WTO studied the possibility of membership for WTO in the United Nations Joint Staff Pension Fund (UNJSPF), as that institution is open to international organizations whether or not they are United Nations specialized agencies, as long as they fulfil the criteria of article 3 of the Fund's regulations.

The principle of joining the Fund was approved by resolution 209 (VII) of the WTO General Assembly in 1987. In 1988 the Fifth Committee of the United Nations General Assembly considered the membership request favourably, although in the circumstances of that time it took no action on it. Consequently, the WTO Assembly at its eighth session (1989) decided to suspend the application of the resolution adopted at its previous session providing for membership in UNJSPF.

In 1993 renewed efforts were made to enhance the social protection of WTO officials when the tenth session of the WTO General Assembly adopted new staff regulations and rules which, inter alia, provided that "officials whose appointments are for six months or longer shall be entitled to participate in a retirement scheme providing, upon separation from service, benefits equivalent to those generally existing in international organizations". The same rule provided that the Secretary-General of WTO would adopt appropriate measures in this regard for approval by the WTO Executive Council.

To this end, the Secretary-General of WTO recruited experts in 1994 to undertake an exhaustive study on the selection of the most suitable pension scheme. At its fiftieth session, in May 1995, the WTO Executive Council, following consideration of a comprehensive report submitted by the Secretary-General, "recommended the General Assembly to select membership of the UNJSPF as

the best retirement option for the WTO staff; consequently invited the Secretary-General to resume negotiations with the Secretary of the UNJSPF ... for the organization's admission to the UNJSPF, effective 1 January 1996 or as soon as possible thereafter".

In the light of the Council's decision and an encouraging response from the Secretary of UNJSPF concerning the possible membership of WTO in the Pension Fund, Mr. Antonio Enríquez Savignac, the Secretary-General of WTO, on 16 June 1995 sent the Secretary of UNJSPF an official membership application for consideration by the Standing Committee of the United Nations Joint Staff Pension Board at a meeting in New York from 10 to 14 July 1995.

Following this official application and since the Board had recommended the approval of a membership application by WTO in 1988, the Standing Committee agreed in July 1995 that the Secretary would be justified in consulting the staff pension committees of member organizations in order to ascertain their readiness to approve by correspondence renewal of the previous application for Fund membership by WTO.

During July and August 1995 correspondence was exchanged between WTO and the Fund secretariat so as to ensure that the WTO staff regulations and staff rules were in accordance with United Nations common system. The Secretary-General of WTO undertook to submit to its Executive Council some minor changes to the staff rules that were considered necessary.

At its eleventh session, which was held in Cairo from 17 to 22 October 1995, the General Assembly of WTO endorsed the recommendation of its Executive Council concerning the application for membership in UNJSPF.

As is clear from the foregoing, WTO has expressed its desire to join UNJSPF as soon as possible, in order to remedy the problem of the lack of social protection of its staff, a matter which has been outstanding since the establishment of the organization.

Given that WTO fulfils all the requirements to become a member of UNJSPF, it is proposed that the General Assembly should give the necessary consent.

13 November 1995

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FIFTIETH SESSION

ADMISSION OF THE WORLD TOURISM ORGANIZATION TO MEMBERSHIP IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Letter dated 13 November 1995 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General

Corrigendum

Page 2, annex, first paragraph, line 1

For World Trade Organization read World Tourism Organization

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REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM
IN THE AGENDA OF THE FIFTIETH SESSION

ADMISSION OF THE WORLD TOURISM ORGANIZATION TO MEMBERSHIP
IN THE UNITED NATIONS JOINT STAFF PENSION FUND

Letter dated 13 November 1995 from the Permanent
Representative of Spain to the United Nations
addressed to the Secretary-General

On instructions from my Government, I have the honour to request, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the fiftieth session of the General Assembly of an additional item entitled "Admission of the World Tourism Organization to membership in the United Nations Joint Staff Pension Fund", an item which should be allocated to the Fifth Committee.

Pursuant to rule 20 of the rules of procedure of the General Assembly, I am attaching an explanatory memorandum to this letter.

(Signed) Juan Antonio YÁÑEZ-BARNUEVO

* Reissued for technical reasons.

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Annex

EXPLANATORY MEMORANDUM

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The World Tourism Organization has a staff of some 90 international officials, the majority of whom are stationed in Madrid. In June 1995, the Organization opened a regional support office in Osaka, Japan.

In December 1986 the World Tourism Organization's Executive Council, by decision 9 (XXIX), expressed its concern that the officials of the Organization should be provided with a retirement scheme that would guarantee pension benefits generally recognized as standard for international civil servants. As a follow-up to that decision, the Secretary-General of the Organization studied the possibility of joining the United Nations Joint Staff Pension Fund (UNJSPF), as that institution is open to international organizations whether or not they are United Nations specialized agencies. As far as they satisfy the criteria of article 3 of the Fund's regulations.

The principle of joining the Fund was approved by resolution 209 (VII) of the General Assembly of the World Tourism Organization in 1987. In 1988 the Fifth Committee of the United Nations General Assembly considered the membership request favourably, although in the circumstances of that time it took no action on it. Consequently, the Assembly of the World Tourism Organization at its eighth session (1989) decided to suspend the application of the resolution adopted at its previous session providing for membership in UNJSPF.

In 1993 renewed efforts were made to enhance the social protection of World Tourism Organization officials when the tenth session of its General Assembly adopted new staff regulations and rules which, inter alia, provided that "officials whose appointments are for six months or longer shall be entitled to participate in a retirement scheme providing, upon separation from service, benefits equivalent to those generally existing in international organizations". The same rule provided that the Secretary-General of the World Tourism Organization would adopt appropriate measures in this regard for approval by its Executive Council.

To this end, the Secretary-General of the World Tourism Organization recruited experts in 1994 to undertake an exhaustive study on the selection of the most suitable pension scheme. At its fiftieth session, in May 1995, the Organization's Executive Council, following consideration of a comprehensive

report submitted by the Secretary-General, "recommended the General Assembly to select membership of the UNJSPF as the best retirement option for World Tourism Organization staff; consequently invited the Secretary-General to resume negotiations with the Secretary of the UNJSPF ... for the organization's admission to the UNJSPF, effective 1 January 1996 or as soon as possible thereafter".

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As is clear from the foregoing, the Organization has expressed its desire to join UNJSPF as soon as possible, in order to remedy the problem of the lack of social protection of its staff, a matter which has been outstanding since the establishment of the organization.

Given that the World Tourism Organization fulfils all the requirements to become a member of UNJSPF, it is proposed that the General Assembly should give the necessary consent.

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Fiftieth session

REQUEST FOR THE INCLUSION OF AN ADDITIONAL SUB-ITEM IN THE AGENDA OF THE FIFTIETH SESSION

Elections to fill vacancies in principal organs: election of a member of the International Court of Justice

Note by the Secretary-General

1. The Deputy Registrar of the International Court of Justice, by a letter dated 24 October 1995, informed the Secretary-General of the death of Judge Andrés Aguilar Mawdsley (Venezuela) on 24 October 1995 and of the occurrence of a vacancy in the Court as a result of the death of Judge Aguilar Mawdsley.

2. Judge Aguilar Mawdsley was elected as a member of the Court as from 6 February 1991. His present term of office would have expired on 5 February 2000. In accordance with the terms of the Statute of the International Court of Justice, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of the term of Judge Aguilar Mawdsley, that is, until 5 February 2000.

3. By a note dated 1 November 1995 (S/1995/914), the Security Council was informed of the occurrence of this vacancy in the Court.

4. Pursuant to article 14 of the Statute of the International Court of Justice, the Security Council, at its 3590th meeting, on 7 November 1995, adopted resolution 1018 (1995). In that resolution, the Council decided that the election to fill the vacancy on the International Court of Justice that had occurred as a result of the death of Judge Aguilar Mawdsley would take place on 28 February 1996 at a meeting of the Security Council and at a meeting of the General Assembly at its fiftieth session.

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5. In those circumstances, it is proposed that the General Assembly include in the agenda of its fiftieth session an additional sub-item of item 15 (Elections to fill vacancies in principal organs) reading as follows:

"(c) Election of a member of the International Court of Justice."